APLC/CONF/2014/WP.13

Third Review Conference of the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction

23 June 2014

Original: English

Maputo, 23 - 27 June 2014
Item 7 of the agenda
Review of the operation and status of the Convention

Draft
Review of the operation and status of the Convention on the prohibition of the use, stockpiling, production and transfer of anti-personnel mines and on their destruction, 2010-2014

Part I

Submitted by the President of the Third Review Conference

Introduction

1. The very purpose of the Convention is to put an end to the suffering and casualties caused by anti-personnel mines. The preamble to the Convention emphasises that the path towards the fulfilment of this humanitarian promise is undertaken through the pursuit of both humanitarian and disarmament actions, particularly: ensuring universal adherence to the Convention's comprehensive prohibitions; destroying existing stockpiled anti-personnel mines; clearing mined areas; and, assisting the victims. The Convention also foresees that certain matters are essential for achieving progress in these areas, including: cooperation and assistance; transparency and the exchange of information; measures to prevent and suppress prohibited activities, and to facilitate compliance; and, implementation support.

2. Since the States Parties adopted their second comprehensive review of the operation and status of the Convention, on 4 December 2009 at the Convention's Second Review Conference, or Cartagena Summit on a Mine-Free World, tremendous additional progress has been made toward the fulfilment of the Convention's purpose. While progress continues to be made and while the Convention and the practices developed to guide implementation at the national and international levels have served as models for addressing the humanitarian problems caused by other conventional weapons, challenges remain. This review is intended to record the progress made by the States Parties since the Cartagena Summit, document efforts undertaken to apply the Cartagena Action Plan and the results of these actions, note decisions, conclusions and recommendations made by the States Parties since the Cartagena Summit to facilitate and enhance implementation of the provisions of the Convention and reflect increased understanding of effective means to implement the Convention.

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Universalizing the Convention

3. By 4 December 2009, at the close of the Cartagena Summit, 156 States had ratified or had acceded to the Convention. This included 131 of the 133 States that signed the Convention during the period when the Convention was open for signature (i.e., between 3 December 1997 and entry into force on 1 March 1999). As of 4 December 2009, the Convention had entered into force for all 156 States that had ratified or acceded to the Convention.

4. Since the Cartagena Summit, one State ratified the Convention (Poland), three States acceded to the Convention (Finland, Somalia and Tuvalu), and one State succeeded to the Convention (South Sudan). There are now 161 States that have formally expressed their consent to be bound by the Convention. A list of the States Parties, their ratification/accession/succession dates and the dates of entry into force can be found in appendix I.

5. Whereas prior to the adoption of the Convention the use of anti-personnel mines was widespread, there are now few countries within which new use occurs. Not only does the Convention's prohibition on the use of anti-personnel mines bind its 161 parties, but the Convention's norm of no-use also has enjoyed widespread acceptance by States not party to the Convention. Moreover, whereas anti-personnel mines previously were possessed widely, now the vast majority of the States that at one time stockpiled anti-personnel mines – 89 – have joined the Convention.

6. The production of anti-personnel mines remains rare. At one time more than 50 States produced anti-personnel mines. Thirty-six (36) of these States are now parties to the Convention, thereby having agreed to be bound by the Convention's prohibition of the production of anti-personnel mines: Albania, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iraq, Italy, Japan, the Netherlands, Norway, Peru, Poland, Portugal, Romania, Serbia, South Africa, Spain, Sweden, Switzerland, Turkey, Uganda, the United Kingdom of Great Britain and Northern Ireland and Zimbabwe.[1] In addition, according to the International Campaign to Ban Landmines (ICBL), some States not party to the Convention have ceased production of anti-personnel mines or have not produced anti-personnel mines for several years.

7. Licit trade in anti-personnel mines remains non-existent. By having joined the Convention, 161 of the world's States have accepted a legally-binding prohibition on transfers of anti-personnel mines. Even for most States not party to the Convention, this has become the accepted norm, with many of these States having put in place moratoria or bans on transfers of the weapon. Any trade likely is limited to a very low level of illicit trafficking.

8. One measure of States' acceptance of the Convention's norms is through support expressed for an annual United Nations General Assembly (UNGA) resolution on the implementation of the Convention. In the most recent vote on this resolution, the following 18 States not party to the Convention voted in favour: Armenia, Azerbaijan, Bahrain, China, Georgia, Kazakhstan, Kyrgyzstan, the Lao People's Democratic Republic, Libya, the Marshall Islands, the Federated States of Micronesia, Mongolia, Morocco, Oman,

[1] The current versions of the names of States are used even though production of anti-personnel mines took place while some States possessed different names.

Singapore, Sri Lanka, Tonga and the United Arab Emirates.[2] All other United Nations Member States that are not party to the Convention abstained on this vote.

9. At the Cartagena Summit, the States Parties agreed to encourage States not party to the Convention, particularly those that have professed support for the humanitarian objectives of the Convention, to participate in the work of the Convention.[3] Since the Cartagena Summit, in keeping with the States Parties' tradition of openness, all States not party were invited to the Convention's Intersessional Work Programme and Meetings of the States Parties. The following 25 States not party took part in at least one of the Convention's meetings since 2009: Azerbaijan, Bahrain, China, Cuba, Egypt, India, Lao People's Democratic Republic, Lebanon, Libya, Micronesia (Federated States of), Mongolia, Morocco, Myanmar, Nepal, Oman, Pakistan, Palestine, Russian Federation, Saudi Arabia, Singapore, Sri Lanka, Tonga, United Arab Emirates, the United States of America and Viet Nam. Many of these States expressed their support for the humanitarian aims of the Convention and some indicated the manner in which they support States Parties in fulfilling their obligations.

10. Notwithstanding the tremendous progress achieved in the pursuit of the universal acceptance of the Convention and its norms, challenges persist. While new emplacements of anti-personnel mines are rare, since the Cartagena Summit, new use of anti-personnel mines has been recorded by four (4) States not party to the Convention: Israel, Libya, Myanmar and the Syrian Arab Republic. In addition, new emplacements of anti-personnel mines by armed non-State actors were recorded in the following six (6) countries: Afghanistan, Colombia, India, Myanmar, Pakistan and Yemen. At the Cartagena Summit, the States Parties agreed to condemn and continue to discourage in every possible way any production, transfer and use of anti-personnel mines by any actor.[4] Several States Parties expressed deep concern in response to new emplacements of anti-personnel mines since the Cartagena Summit and called for actors concerned to cease the use of anti-personnel mines.

11. While the vast majority of States with anti-personnel mines in areas under their jurisdiction or control – 59 – have joined the Convention have joined the Convention, it is estimated that 22 have not. All 22 of these States perceives or may perceive that they derive utility from emplaced mines and are, or may be, in essence, users of anti-personnel mines. Moreover, while the vast majority of States with stockpiled anti-personnel mines – 89 – have joined the Convention, 30 of the States not party to the Convention possess or may possess stockpiled anti-personnel mines.

12. The most prevalent barrier to universal acceptance of the Convention remains a persistent view on the part of many States not party that a perceived marginal military utility derived from anti-personnel mines is not outweighed by the grave humanitarian consequences of their use. Overcoming this challenge means further engagement by States Parties of the leadership of States not party, with such efforts complementing engagement at the officials' level and further non-governmental advocacy.

13. Given their resolve to achieve universal adherence to the Convention and its norms, the States Parties agreed at the Cartagena Summit to seize every opportunity to promote ratification of and accession to the Convention, particularly in regions with low adherence to the Convention, and to promote and encourage adherence to the norms of the Convention.[5] In light of the universalisation challenges noted at the Cartagena Summit and commitments made to overcome these challenges, His Royal Highness Prince Mired Raad

[2] UNGA Resolution 68/30, 5 December 2013.
[3] Cartagena Action Plan, action #6.
[4] Cartagena Action Plan, action #5.
[5] Cartagena Action Plan, actions #1 and #3.

Al-Hussein of Jordan has continued to make himself available to engage States not party to the Convention at a high level. In 2012, a similar commitment was made by Colombian music artist and anti-landmines activist, Juanes. In addition, in June 2013 it was announced that Her Royal Highness Princess Astrid of Belgium would also engage in high level promotion of the Convention. The efforts of these individuals have been supported by the European Union through a European Union Council Decision in support of the implementation of the Cartagena Action Plan.

14. Individual States Parties continued their efforts to promote acceptance of the Convention, including Belgium, which has served as the Coordinator of the informal Universalisation Contact Group.

15. At the Cartagena Summit, the States Parties agreed to encourage and support the universalisation efforts of all relevant partners, including international, regional and nongovernmental organizations.[6] The ICBL and its member organisations continued to promote acceptance of the Convention by States not party to the Convention, undertaking some form of action with respect to virtually every State not party. In addition, the International Committee of the Red Cross (ICRC) continued to promote adherence to the Convention, including at a high-level. The ICRC also promoted the Convention's humanitarian norms with non-State actors in various contexts. As well, the General Assembly of the Organization of American States annually adopted a resolution to urge States which have not yet done so to ratify or consider acceding to the Convention as soon as possible to ensure its full and effective implementation.

16. The United Nations has continued to play a role in universalization. The Secretary-General of the United Nations regularly called for the universal adherence and implementation of the Convention. As well, United Nations departments, agencies, funds and programmes continued to promote the Convention.

17. At the Cartagena Summit, the States Parties agreed to continue promoting universal observance of the Conventions' norms, by condemning, and taking appropriate steps to end the use, stockpiling, production and transfer of anti-personnel mines by armed non-state actors.[7] Since the Cartagena Summit, INSERT NUMBER additional armed non-State actors signed the Geneva Call's "Deed of Commitment for Adherence to a Total Ban on Anti-Personnel Mines and for Cooperation in Mine Action" bringing to [...] the number of armed non-State actors that have made this commitment. Nevertheless, the view was expressed that when engagement by non-governmental organizations of armed non-State actors is considered, vigilance is required to prevent terrorist organizations from exploiting the Ottawa Process for their own goals. Some States Parties continue to be of the view that when engagement with armed non-state actors is contemplated, States Parties concerned should be informed and their consent would be necessary in order for such an engagement to take place. One State Party reiterated its concern regarding the engagement on the basis of one previous signing of the "Deed of Commitment" of Geneva Call as inconsistent with the above view.

Destroying stockpiled anti-personnel mines

18. At the close of the Cartagena Summit, the destruction of stockpiled anti-personnel mines in accordance with Article 4 was an obligation that had been, would have been or was relevant for 86 States Parties, including 77 States Parties that had reported, in

[6] Cartagena Action Plan, Action #2.
[7] Cartagena Action Plan, Action #4.

accordance with Article 7 that they held stockpiled anti-personnel mines when the Convention entered into force for them and 9 States Parties that had reported that their stockpiles of anti-personnel mines were destroyed prior to entry into force. As of 4 December 2009, all but three States Parties whose deadlines for destruction had occurred by that time reported completion of their stockpile destruction programmes.

19. In total, 152 States Parties no longer held stockpiled anti-personnel mines other than those mines States Parties are permitted to retain for purposes permitted under Article 3, either because they never did or because they had completed their stockpile destruction programmes. At the close of the Cartagena Summit, together the States Parties had reported the destruction of more than 43 million mines. By 4 December 2009, the number of States Parties for which the obligation to destroy stockpiled anti-personnel mines remained relevant included the following four: Belarus, Greece, Turkey and Ukraine.

20. Since the Cartagena Summit, one of the four States Parties for which the obligation remained has reported that it has completed the destruction of stockpiled anti-personnel mines in accordance with Article 4: Turkey. Turkey destroyed almost 3 million stockpiled anti-personnel mines. (See annex ....

21. At the close of the Cartagena Summit, 1 State Party – Iraq - had provided an initial Article 7 report in 2008 indicating that no stocks were owned or possessed but that the matter will be further investigated and if stockpiled anti-personnel mines were identified, they would be reported and appropriate plans would be developed for their destruction. Since the Cartagena Summit, Iraq appeared to indicate that a small stock of 690 anti-personnel were held and all but 45 mines were destroyed.

22. Since the close of the Cartagena Summit, the Convention entered into force for Finland, Poland, Somalia, South Sudan and Tuvalu. Of these 5 States Parties, 2 have reported stockpiled anti-personnel requiring destruction in accordance with Article 4: Finland and Poland. One of these States Parties, Somalia, has reported that it was in the process of verifying if its stockpiles contain anti-personnel mines. Another of these States Parties, South Sudan, originally did not report any stocks, then reported that it discovered previously unknown stockpiled anti-personnel mines but later indicated that this declaration was an error.

23. At the close of the Cartagena Summit, 1 State Party had not yet provided an initial report in accordance with Article 7, paragraph 1: Equatorial Guinea. In addition, of the 5 States Parties for which the Convention entered into force since the Cartagena Summit, 4 provided an initial transparency report: Finland, Poland, Somalia and South Sudan. Since the close of the Cartagena Summit, 2 States Parties, which according to other sources of information are presumed not to hold stocks, have not yet provided required initial transparency information and hence have not yet confirmed the presence or absence of stockpiled anti-personnel mines: Equatorial Guinea and Tuvalu. Equatorial Guinea's report was due on 28 August 1999 and Tuvalu's on 28 August 2012.

24. There are now five States Parties for which the obligation to destroy stockpiled anti-personnel mines remains relevant – Belarus, Finland, Greece, Poland and Ukraine – with three of these States Parties being non-compliant, including two of them since 1 March 2008. As noted previously, one State Party is in the process of verifying its stockpiles – Somalia – and two States Parties still need to confirm whether they hold stockpiled anti-personnel mines or not – Equatorial Guinea and Tuvalu. Hence, there now 156 States Parties which no longer hold stocks of anti-personnel mines because they never did or have completed their destruction programmes. Together these States Parties have reported the destruction of [almost 46 million] stockpiled anti-personnel mines.

25. At the Cartagena Summit, it was agreed that all States Parties will, when previously unknown stockpiles are discovered after stockpile destruction deadlines have passed, report

such discoveries in accordance with their obligations under Article 7, and in addition take advantage of other informal means to share such information as soon as possible and destroy these anti-personnel mines as a matter of urgent priority.[8] ("Informal means" could, for example, take the form of sharing information during the Intersessional Work Programme).

26. Since the Cartagena Summit, [5] States Parties have reported the discovery of previously unknown stockpiled anti-personnel mines: Burundi, Côte d'Ivoire, the Former Yugoslav Republic of Macedonia, Guinea Bissau and the Philippines in accordance with the commitments made in the Cartagena Action Plan. Together these States Parties reported the destruction of 3,301 previously unknown stockpiled anti-personnel mines. In addition, Nigeria indicated that it is taking steps to take stocks of the munitions in its inventory to determine whether previously unknown stocks exist.

27. Since the Cartagena Summit, the destruction of stockpiled anti-personnel mines has continued to be one of the Convention's most complex remaining challenges. Concern was expressed that three States Parties have failed to comply with the four-year deadline to destroy or ensure the destruction of stockpiled anti-personnel mines owned, possessed or under their jurisdiction or control. The early completion of stockpile destruction programmes has been encouraged and it has been recalled that the Cartagena Action Plan provides guidelines for getting back into the status of compliance.

28. The Convention entered into force for **Belarus** on 1 March 2004 meaning that it had a deadline of 1 March 2008 to complete the destruction of its stockpiled anti-personnel mines. At the close of the Cartagena Summit, Belarus had not concluded implementation of its Article 4 obligations within the timeframe prescribed by the Convention and 3,371,984 stockpiled anti-personnel remained to be destroyed. It was also recorded that the terms and conditions of implementation of the PFM-1 mine joint destruction programme had been identified and Belarus and the European Commission had agreed on a schedule for the preparatory stage of the project. It was further recorded that an EC assessment visit to the proposed destruction site was successful, that a tender was launched in July 2009 and that a contract was planned to be signed between the EC and the winner in January 2010.

29. From 2010 to 2014, Belarus continued providing annual updated information in its Article 7 transparency reports and at meetings of the Standing Committee on Stockpile Destruction on the status of its stockpiled anti-personnel mines. Of the 3,371,984 stockpiled anti-personnel mines that remained as of the Cartagena Summit, Belarus indicated in its transparency report in 2010 that 1,812 mines had been destroyed leaving 3,370,172[9] mines in stock. On 20 June 2011, Belarus informed the Standing Committee on Stockpile Destruction that in 2010, the Belarusian private company "Stroyenergo" had destroyed 160 cassettes of CSF-1 type, which contained 11,520 PFM-1 mines. As of January 2011, 3,356,636 stockpiled anti-personnel mines remained to be destroyed. Since then, the information provided by Belarus indicates that further destruction is pending the completion of the destruction facility and the environmental and safety assessment. Belarus indicated in its transparency report submitted in 2014 that it still possessed 3,356,636 stockpiled anti-personnel mines to be destroyed.

30. On 21 June 2010, Belarus informed the Standing Committee on Stockpile Destruction that while cooperation between Belarus and the European Commission was ongoing, there had been setbacks since the Cartagena Summit which had delayed the commencement of the project. Belarus further indicated that between December 2009 and

[8] Cartagena Action Plan, action #12.

[9] This figure was later corrected at the Eleventh Meeting of the States Parties to read 3,368,156.

May 2010, the EC had entered into negotiations with a potential contractor but that on 21 May 2010, the EC informed Belarus that the procedure had not been successful. An Addendum to the Financing Agreement was signed by Belarus and it entered into force on 24 August 2010. On 30 June 2010, the EC announced a new tender to select a contractor to implement the project "Destruction of PFM-1 Series Ammunition in Belarus".

31. At the 20 June 2011 meeting of the Standing Committee on Stockpile Destruction, Belarus indicated that on 21 December 2010, the European Union signed the project contract with a company called Explosives Alaveses SA (EXPAL) of Spain and that the company was registered as a legal entity in Belarus on 19 January 2011. Belarus further indicated that according to the approved timeframes, the Belarusian stockpile of PFM-1 mines would be eliminated in 2013. At the Eleventh Meeting of the States Parties, Belarus reported that the construction of the destruction facility carried out by the Russian company Anfacion started on 31 October 2011. Belarus estimated that the completion of the destruction of all stockpiles in accordance with Article 4 in Belarus was May 2013.

32. At the 21 May 2012 meeting of the Standing Committee on Stockpile Destruction, Belarus indicated that work on the destruction facility was continuing at an ammunition base near Rechitsa in southeastern Belarus. Belarus further indicated that this process was more complicated and time consuming than originally predicted with numerous pieces of equipment needing to be delivered to the destruction site from Spain and Germany and special licences permits needing to be issued for the transfer of explosives and detonators in order to comply with international export control practices. In addition, unfavourable winter weather conditions delayed the construction. Belarus also stated that to effectively address pending issues pertaining to stockpile destruction, Belarus and the European Commission established a "Steering Committee" which met three times in 2012 to address issues that were delaying construction. Belarus indicated that before destruction proceeds the Contractor will complete an environmental impact assessment. Belarus further indicated that destruction would be complete in 2013.

33. At the 27 May 2013 meeting of the Standing Committee on Stockpile Destruction, Belarus reported that the construction project was 90 percent ready and that a timeframe for the start of the destruction process could not yet be provided. Belarus also indicated that the air and solid wastes from the detonation of the mines would be recycled in accordance with European Union standards and that the European Commission was financing the project at the level of 3.9 million euros. Belarus further reported that in April 2013, an agreement was signed between the Government of Belarus and the European Commission to extend their cooperation on the stockpile destruction project.

34. At the Thirteenth Meeting of the States Parties, Belarus indicated that since May 2013, a gas-off treatment chamber was made in Germany and delivered to the destruction facility in November 2013. Belarus also indicated that Spanish experts were currently in the process of installing and adjusting the gas-off treatment chamber. In January 2014, the Spanish company EXPAL is planning to finalize its work related to testing of the purification equipment and to start testing the destruction of the first batch of PFM-1 mines.

35. At the 11 April 2014 meeting of the Standing Committee on Stockpile Destruction, Belarus indicated that the Spanish company EXPAL completed construction and installation works at the destruction facility and that the personnel of the facility was engaged in the adjustment of equipment and check-in its work in testing regime. On 26 March 2014 EXPAL conducted the first practical destruction of mines within the project during which 2 canisters of CSF-1, containing a total of 144 PFM -1 anti-personnel mines were destroyed. Belarus indicated that it was assumed that testing works at the site would continue until mid-May 2014.

36. Belarus has reported to the States Parties details of progress towards the fulfilment of Article 4 obligations but progress has been slow with Belarus facing persistent challenges linked to the destruction of PFM-type mines it has in its stockpile, and only 13,352 anti-personnel being destroyed since the Cartagena Summit. While an expected completion date has been communicated in the past, it is currently unclear when Belarus expects to have fulfilled its Article 4 obligations.

37. The Convention entered into force for **Greece** on 1 March 2004 meaning that it had a deadline of 1 March 2008 to complete the destruction of its stockpiled anti-personnel mines. At the close of the Cartagena Summit, Greece had not concluded implementation of its Article 4 obligations within the timeframe prescribed by the Convention and 1,586,195 stockpiled anti-personnel mines remained to be destroyed. It was also recorded that 225,962 mines had been transferred to Bulgaria and were destroyed and that the transfer and destruction of all stockpiled mines "will be completed by the end of 2009."

38. From 2010 to 2014, Greece continued providing annual updated information in its Article 7 transparency reports and at meetings of the Standing Committee on Stockpile Destruction on the status of its stockpiled anti-personnel mines. In its transparency report of 2010, Greece reported that as of 31 December 2009, 1,566,532 anti-personnel mines remained to be destroyed and that 615,362 mines had been transferred to Bulgaria for the purposes of destruction. Bulgarian authorities reported that between 15 December 2008 and 14 May 2010 a total of 614,882 Greek anti-personnel mines have been delivered and destroyed in Bulgaria. The discrepancy of 480 between the numbers reported by Bulgaria and Greece was brought to the attention of the June 2010 meeting of the Standing Committee on Stockpile Destruction and it was noted that the matter was under ongoing examination by the Greek authorities in cooperation with the Bulgarian authorities.

39. On 21 June 2010, Greece informed the Standing Committee on Stockpile Destruction that the agreement between the Greek Ministry of Defence and company selected to ensure the destruction of the Greek stockpile had been cancelled on 16 June 2010 due to non-fulfilment of the agreement as result of an industrial accident that took place on 3 February 2010. As a consequence Greece would be unable to complete the destruction of its stockpile by the end of 2010. Greece also indicated that given the situation, a more realistic timeline for completion would be early 2011 and that the Greek Ministry of Defence was proceeding rapidly to engage another company to do the work. In October 2010, Greece indicated that after the termination of the contract with EAS (Hellenic Defence Systems) / VIDEX, EAS filed an appeal against the Greek State which was currently under consideration by the relevant Greek courts. Meanwhile, pending the completion of the legal proceedings, Greece was still preparing the work for a new contract, which included the obligation to destroy the remaining stockpile within 6 months of the awarding of the contract.

40. On 20 June 2011, Greece informed the Standing Committee on Stockpile Destruction that the investigation identified that the discrepancy in numbers was due to an uneven distribution of mines during packaging for the shipment to Bulgaria and that the 480 were indeed stored in an ammunition warehouse of the Greek army. The investigation also resulted in the identification of Greece's initial stockpile before the start of destruction process which amounted to 1,568,167 mines instead of 1,566,532. Also on 20 June 2011, Greece indicated that there were 953,285 stockpiled mines remaining to be destroyed. Greece also indicated that in April 2011, EAS won its case and was re-awarded the stockpile destruction project. On 21 April 2011, EAS submitted a revised proposal with a new timeline and financial conditions which as of 20 June 2011 was still the subject of negotiations between the two parties and that the proposal entailed re-initiation of the contract within the next 6 months and the subsequent completion of destruction within 22 months.

41. At the Eleventh Meeting of the States Parties, Greece indicated that the EAS proposal remained unexecuted pending the completion of a judicial process and budgetary appropriations which were anticipated to come following the adoption of the 2012 budget by the Parliament. Greece further indicated that a future new contract would involve the closer engagement of the Hellenic armed forces to monitor the process. Greece also indicated that the competent authorities were examining other options to expedite the destruction process. As of the Eleventh Meeting of the States Parties, Greece still had 953,285 mines to destroy.

42. On 21 May 2012, Greece informed the Standing Committee on Stockpile Destruction that since the 11MSP, there had been no further progress in the destruction of the remaining stockpiled mines, pending a court decision pertaining to the legal dispute between Greece and EAS. Greece also informed that the main proceeding of the Administrative Court of Appeals which was scheduled to take place on 27 September 2012 could not take place due to unforeseen circumstances. At the end of November 2012, a ministerial decision was signed to put the whole process back on track and in the meantime, the Greek armed forces had proceeded to locate the 953,285 stockpiled anti-personnel mines in a single ammunition warehouse so that destruction can proceed immediately when green light is given by the Ministry of Defence.

43. As of 27 May 2013, Greece possessed the same number of stockpiled anti-personnel mines to be destroyed. On 27 May 2013, Greece reported to the Standing Committee on Stockpile Destruction that a modified contract for the destruction of the remaining mines was signed on 29 April 2013 by EAS and the Greek Ministry of Defence.

44. At the Thirteenth Meeting of the States Parties, Greece reported that on 7 June 2013, EAS submitted all the relevant documents, including an end-user certificate to the Ministry of Development, Competitiveness and Finance in order to re-launch the destruction process of anti-personnel mines at the facilities of the sub-contractor VIDEX. In taking this process forward, a request for an International Import Certificate was in turn submitted by VIDEX to the Bulgarian Ministry of economy and Energy on 2 July 2013, resulting in the subsequent issuance of the relevant certificate by the competent Bulgarian authorities on 17 October 2013. On 2 December 2013, the Ministry of Development, Competitiveness and Finance issued the export licenses. As a result, at this stage the only remaining pending documents which are required for the commencement of the shipment of mines to Bulgaria are the transport licenses, which were expected to be issued by the competent Greek and Bulgarian authorities within the next weeks. Despite the ongoing financial crisis, Greece indicated that it is in the final stages of the necessary procedures and that it expects transport and destruction of stockpiled mines to begin in early 2014.

45. At the 11 April 2014 meeting of the Standing Committee on Stockpile Destruction, Greece indicated that on 6 February 2014, the competent authorities of the Ministry of Defence issued a directive pertaining to the security of the transport procedure of the mines being shipped to Bulgaria. On 24 February, 6,528 "DM-31" mines were transported to Bulgaria, on the basis of a transport license issued on 27 January. On 28 February 2014, the competent Bulgarian authorities re-issued the International Import Certificate (I.I.C), following a proposal of the Greek MoD, which requested for a revision of the I.I.C, so that it reads that the mines are transported for "Demilitarization and Disposition Process".

46. Greece further indicated that on 17 March 2014 the competent Greek authorities issued a transport license for 51,298 "DM-31" mines, which will be transported to Bulgaria in the coming weeks. Moreover, on 20 March 2014 5,088 "M2" mines and 2,160 "MI6" mines were transported to Bulgaria, while on Monday, 14 April, 15,000 mines will be transported to Bulgaria. Greece also indicated that it intended to announce at the Third Review Conference that the process of destruction is well underway, so that Greece can comply with Article 4 of the Convention as soon as possible.

47. [...]

48. The Convention entered into force for **Turkey** on 1 March 2004, meaning that it had a deadline of 1 March 2008 to complete the destruction of its stockpiled anti-personnel mines. At the time of the Cartagena Summit, Turkey had not concluded implementation of its Article 4 obligations within the timeframe prescribed by the Convention and 956,761 stockpiled anti-personnel mines remained to be destroyed as of the end of October 2009.

49. In April 2010, Turkey indicated through its annual transparency report that 730,458 stockpiled anti-personnel mines remained as of 31 December 2009. On 21 June 2010, Turkey informed the Standing Committee on Stockpile Destruction that the destruction of the remaining stockpiled mines was being carried out at "full speed" with the Turkish Munitions Disposal Facility running 24 hours a day on the basis of 3 shifts per day. As of 10 August 2010, the number of remaining of anti-personnel mines was further reduced to 161,191 mines. At the close of the Tenth Meeting of the States Parties, Turkey had 631 Area Denial Anti-Personnel Mine (ADAM)-type mines (each containing 36 sub-munitions) remaining. Turkey indicated that these mines required special handling because they contain depleted uranium and that these mines would be destroyed by the NATO Maintenance and Supply Agency.

50. On 20 June 2011, Turkey informed the Standing Committee on Stockpile Destruction that the 631 ADAM-type mines were transferred to Germany for destruction. At the Eleventh Meeting of the States Parties, Turkey reported that with the destruction of the remaining 22,716 ADAM-type mines which was completed on 21 June 2011, Turkey confirmed that it had completed the fulfilment of its Article 4 obligations.

51. The Convention entered into force for **Ukraine** on 1 June 2006 meaning that it had a deadline of 1 June 2010 to complete the destruction of its stockpiled anti-personnel mines. Ukraine has not concluded implementation of its Article 4 obligations within the timeframe prescribed by the Convention and that 149,096 POM-2 and 5,950,372 PFM-1 stockpiled anti-personnel mines remained to be destroyed as of 25 May 2009.

52. The Cartagena Summit further recorded that, while Ukraine planned to destroy 1,500,000 mines in 2009 and 600,000 in 2010, a lack of financial resources was undermining the plan. It was also recorded that in June 2009, the EC launched an experts' mission to assess available destruction facilities and to determine the type of assistance with this mission confirming that Ukraine has the technical know-how to destroy its stockpiled PFM type mines, albeit with significant investment in technology and equipment required. As well, it was noted that the destruction of anti-personnel mines had been identified as one of the Ukrainian priorities that could be financed under the European Union's European Neighbourhood and Partnership Instrument (ENPI), with further needs to be identified in the course of the negotiation between Ukraine and the EC in the framework of the Ukrainian National Programme (UNP) for 2011-2013. Finally, it was recorded that on 16 June 2009, the United Nations Mine Action Service (UNMAS) received a request for assistance from Ukraine related to the destruction of Ukraine's stockpiled anti-personnel mines and that the two were discussing modalities for the provision of expert support.

53. On 18 May 2010, Ukraine informed all States Parties that it would be unable to comply with its Article 4 obligations by its 1 June 2010 deadline. On 21 June 2010, at the meeting of the Standing Committee on Stockpile destruction, Ukraine expressed that a "lack of practical international assistance" did not allow Ukraine to implement its obligations. Ukraine also elaborated on its plans to acquire the resources necessary to complete implementation of article 4, noting that it will work to accumulate national resources, resume cooperation with the EC in the framework of the ENPI (with the new National Indicative Programme for 2011-2013, which will include a sub-priority on the implementation of the Convention, to be finalised through a Memorandum of

Understanding between Ukraine and the EC "in the nearest future"), and use, where appropriate, bilateral and multilateral mechanisms to encourage and facilitate the destruction of its stockpiles. Ukraine further indicated that, given the current absence of international support and the economic situation in Ukraine, the destruction process was "on hold."

54. In April 2010, in its transparency report, Ukraine reported that 5,951,785 stockpiled anti-personnel mines remained as of 1 April 2010. Ukraine informed the June 2010 meeting of the Standing Committee on Stockpile that it was estimated that the one rotary kiln at the Pavlograd Chemical Plantcould destroy 1 million PFM mines per year, implying that without international assistance to expand capacity it was going to take "six years at the soonest" for Ukraine to complete implementation of article 4. Ukraine further indicated that with "proper financing", the installation and operation of a second incinerator could see destruction completed within three years. Ukraine also indicated that the USA had recently agreed to purchase another incinerator for the Pavlograd Chemical Plant that could be used for the destruction of antipersonnel mines.

55. In April 2011, Ukraine reported in accordance with Article 7, that 5,951,785 stockpiled anti-personnel mines remained. On 20 June 2011, Ukraine informed the Standing Committee on Stockpile Destruction that the Ministry of Defence of Ukraine eliminated 6,480 PFM-1 mines in May and June 2011. At the Eleventh Meeting of the States Parties, Ukraine indicated that on 21 September 2011, the Cabinet of Ministers of Ukraine signed the Implementing Agreement with the NATO Maintenance and Supply Organisation (NAMSO) which covers the destruction of half of the PFM-type mines.

56. Information provided by Ukraine in 2012 in accordance with its Article 7 transparency obligations indicated that as 31 December 2011, Ukraine had 5,939,905 stockpiled mines, including 5,786,704 PFM mines. Ukraine further informed that the timeline for completion was still to be defined and indicated that with US$ 1 million provided by Norway, the incinerator facility at the Pavlograd Chemical Plant was modernised. Ukraine informed the Twelfth Meeting of the States Parties that a total of 17,420 anti-personnel have been destroyed in 2012, including 13,920 PFM-1 type mines and 3,500 OZM-type mines leaving 5,922,485 stockpiled mines to be destroyed. Ukraine also indicated that the EC had reserved funds for the destruction of stockpiled anti-personnel mines as part of the second phase of a NATO Partnership for Peace Trust Fund Project, with 60 percent covered by the EC and 40% by Ukraine. Also at the Twelfth Meeting of the States Parties, Ukraine indicated that the NATO Support Agency had accumulated sufficient resources of its own, thanks to an offer made by the German government, to enable the commencement of the project of large-scale destruction as early as January 2013 with PFM-a type mines destroyed in priority.

57. At the Thirteenth Meeting of the States Parties, Ukraine reported that the current number of mines for disposal was 5,435,248 PFM-1 (1S) and that as of the 13MSP Ukraine managed to dispose 1,218,433 mines (among those 567,672 PFM-1 mines). Over the course of 2013 a total of 332,352 PFM-1 mines have been disposed. Ukraine further reported that until 2015 it plans to destroy 3 million units of PFM-1 mines within the framework of NATO's Partnership for Peace programme Phase 2, once funding is provided by the European Union. Ukraine further reported that it is constructing an additional site for dismantling ammunition which will significantly increase the rate of destruction of PFM-1 anti-personnel mines.

58. At the 11 April 2014 meeting of the Standing Committee, Ukraine reported that as of April 2014 Ukraine managed to dispose of 1,219,005 mines, among them 568,184 PFM mines and that for the period of year 2013, 332,352 PFM-1 mines were disposed mostly due the financial support of Germany. Ukraine further reported that 5,434,676 PFM-1 (1S) mines are liable to destruction under Article 4 and that deadlines were still to be defined.

59. Ukraine also indicated that with financial assistance from Norway and the USA the necessary equipment was purchased and installed at the Pavlograd Chemical Plant and that the modernised facilities were officially put into operation. However due to the insufficient international financial support, the destruction remains slow and in this regard Ukraine is engaged in an active dialogue with the European Commission and other donors. Ukraine further indicated that as the domestic funds do not allow performing the destruction tasks at a needed pace, Ukraine's work is focused on the disposal of unconditional munitions which further storage could be unsafe and during the first quarter of 2014 the Ukrainian military engineers destroyed by detonation 8 KSF-1 clusters, making a total of 572 anti-personnel mines.

60. [...]

61. At the Cartagena Summit, the States Parties acknowledged that the complexity of destruction of PFM-1-type anti-personnel mines combined with the limited number of entities capable of destroying these mines, the vast numbers of these mines held by Belarus and Ukraine, the inadvisability of transferring these mines for destruction and the high cost of destruction had resulted in a compelling implementation challenge for both States Parties. The States Parties recognised that the destruction of PFM mines is significantly more challenging and complex, technically and financially, than the destruction of other anti-personnel mines. The States Parties also recorded that both Belarus and Ukraine had sought assistance in accordance with article 6 of the Convention and expressed the view that the matter of ensuring compliance on the part of Belarus and Ukraine was the business of all States Parties.

62. At the Cartagena Summit, the States Parties expressed the view that the destruction of stockpiled anti-personnel mines, while largely a great success story, persists as one of the Convention's most complex remaining challenges, noting that since 1 March 2008, Belarus, Greece and Turkey had not concluded implementation of their article 4 obligations within the time frame prescribed by the Convention and that Ukraine had indicated that it would be unable to comply with its obligation to destroy its stockpiled anti-personnel mines by its 1 June 2010 deadline. Serious concern was expressed with respect to the failure by three States Parties to comply with their obligations by their deadlines as well as to provide a clear timeline for completion and concern was expressed with respect to the looming matter of non-compliance on the part of one additional State Party.

63. Since the Cartagena Summit, one State Party, which had not concluded implementation within the timeframe prescribed by the Convention completed the destruction of its stockpiled anti-personnel mines: Turkey, and one additional State Party, as foreshadowed by the Cartagena Summit, missed its four-year deadline: Ukraine. There are now three States Parties which still have not concluded implementation of their stockpile destruction obligation within the four-year timeframe prescribed by the Convention.

64. At the Cartagena Summit, it was agreed that States Parties that have missed their deadlines for completion of obligations under Article 4 will provide an expected completion date. As of the Thirteenth Meeting of the States Parties it was noted that the States Parties in question had not yet done so. States Parties also noted that all States Parties have a role in being vigilant in ensuring that those with stockpile destruction programmes are on track to meet their obligations, including through the provision of international cooperation and assistance. In addition, it was again noted that Belarus, Greece and Ukraine each have expressed a deep commitment to the Convention and the fulfilment of their obligations.

65. In its initial Article 7 submission in July 2008, **Iraq** stated that it did not hold stockpiles but that the matter would be further investigated and corrected if required in

future reports. On 15 June 2010, Iraq reported in accordance with Article 7, 690 stockpiled anti-personnel mines and at the 20 June 2011 meeting of the Standing Committee on Stockpile Destruction Iraq further reported that all mines in question, but for 45 retained for purposes permitted in Article 3, had been destroyed.

66. The Convention entered into force for **South Sudan** on 9 July 2011 meaning that it has a deadline of 9 July 2015 to complete the destruction of its stockpiled anti-personnel mines.

67. In its initial Article 7 submission in December 2012, **South Sudan** reported that it had recovered 4 stockpiled anti-personnel mines that had been abandoned in former military camps and that these mines would be destroyed by the Danish Demining Group in the 2012-2013 dry season. At the 27 May 2013 meeting of the Standing Committee on Stockpile Destruction, South Sudan indicated that the mines in question are a small part of a larger weapon cache that was discovered which will need to be destroyed in its totality as soon as South Sudan gets the funding and when all necessary arrangements are completed. In information provided to the Implementation Support Unit on 12 November 2013, South Sudan indicated that in fact its declaration of the discovery of previously unknown stockpiled anti-personnel mines was an error.

68. The Convention entered into force for **Finland** on 1 July 2012 meaning that Finland has a deadline of 1 July 2016 to complete the destruction of its stockpiled anti-personnel mines.

69. At the 27 May 2013 meeting of the Standing Committee on Stockpile Destruction, Finland indicated that the destruction process commenced shortly after entry into force, with the destruction of 220,455 mines and that it will be completed by the end of 2015. As well Finland reported that 809,308 stockpiled anti-personnel mines remained to be destroyed. At the 13MSP, Finland indicated that over 90 percent of its stockpile was already destroyed with over 700,000 mines destroyed in 2013.

70. In its Article 7 transparency report submitted in 2014, Finland indicated that 55,181 anti-personnel remained in the Finnish stockpiles and that 744,891 mines were destroyed between 2012 and 10 December 2013.

71. The Convention entered into force for **Somalia** on 1 October 2012 meaning that Somalia has a deadline of 1 October 2016 to complete the destruction of its stockpiled anti-personnel mines. In in its initial transparency report submitted in 2012 in accordance with Article 7, paragraph 1, Somalia reported that it was currently putting forth efforts to verify if in fact it holds anti-personnel mines in its stockpiles and indicated that it would report on its findings.

72. The Convention entered into force for **Poland** on 1 June 2013 meaning that Poland has a deadline of 1 June 2017 to complete the destruction of its stockpiled anti-personnel mines. Before joining the Convention, Poland regularly provided voluntary information on its stockpiles, including information that indicated that it has progressively reduced its stockpiles with mines withdrawn from inventories and dismantled. At the 12MSP, Poland indicated that the remaining 200,000 mines were taken off the Polish Armed Forces inventory already in 2010 and that since then Poland has managed to destroy 97 percent of its original stocks.

73. In its initial transparency report submitted in accordance with Article 7, paragraph 1 on 28 November 2013, Poland reported that 16,957 mines remained in its stockpiles. At the 13MSP, Poland indicated that its initial stockpile was 1,087,984 anti-personnel mines and that before the ratification process started it destroyed approximately 1 million anti-personnel mines. Poland further indicated that 16,957 PSM-1 mines, 2019 PSM-1 mine casings of versions without explosives, 21,044 MON-100 mine casings, and 3,282 mine

casings of versions without explosives and various detonators remained to be destroyed and that it would take about 2 years to complete the destruction at a cost of about 175,000 euros.

74. At the Cartagena Summit, it was agreed that all States Parties will, when previously unknown stockpiles are discovered after stockpile destruction deadlines have passed, report such discoveries in accordance with their obligations under Article 7, and in addition take advantage of other informal means to share such information as soon as possible and destroy these anti-personnel mines as a matter of urgent priority.[10] ("Informal means" could, for example, take the form of sharing information during the Intersessional Work Programme).

75. Since the Cartagena Summit the following States Parties reported information related to the discovery and destruction of previously unknown stockpiled mines:

76. [...]

77. [...]

78. At the 21 June 2010 meeting of the Standing Committee on Stockpile Destruction, **Burundi** reported that it had discovered 76 stockpiled anti-personnel mines that were previously unknown. Burundi further reported that these mines have now been destroyed. In its Article 7 report submitted in 2011, Burundi reported the destruction on 18 June 2011, of 69 anti-personnel mines which were stockpiled at the Service National de Renseignement.

79. At the Twelfth Meeting of the States Parties, **Côte d'Ivoire** indicated that during the course of a national weapon inventory conducted in the aftermath of the political crisis of 2010-2011, the Republican Forces discovered several unused boxes of anti-personnel mines. At the 27 May 2013 meeting of the Standing Committee on Stockpile Destruction, Côte d'Ivoire indicated that 1,818 previously unknown stockpiled anti-personnel were discovered and that 1,526 of these mines were destroyed and 292 kept for purposes permitted under Article 3.

80. At the Eleventh Meeting of the States Parties, the **Former Yugoslav Republic of Macedonia** indicated that in an effort to determine what munitions held by its armed forces would need to be destroyed in accordance with its obligations of the Convention on Cluster Munitions, FYROM's armed forces discovered 8 cassettes containing approximately 500 PFA-S type anti-personnel mines. A the 21 May 2012 meeting of the Standing Committee on Stockpile Destruction, the Former Yugoslav Republic of Macedonia announced that on 10 May 2012, it destroyed 1,248 PFM-1S mines which were previously unknown.

81. At the Eleventh Meeting of the States Parties, **Guinea Bissau** indicated that a small stockpile of anti-personnel mines had been found in Quebo and Gabu military bases during a joint assessment mission conducted by Guinea Bissau's Government and UNMAS to identify the quantity of Guinea Bissau storage ammunitions. 7 PMN mines and two original boxes of POMZ-2 were found. Guinea Bissau indicated its intention to destroy these mines as soon as possible but not later than 31 March 2012. At the 12MSP, Guinea Bissau indicated that due to the lack of logistical and financial support to the Guinea Bissau mine action programme since 31 July 2012, Guinea Bissau was not in a position to carry out the destruction of these mines but was hopeful that they could be destroyed by the 13MSP. Since then no further update was provided by Guinea Bissau on the matter of previously unknown stockpiled anti-personnel mines.

[10] Cartagena Action Plan, action #12.

82. At the 21 May 2012 meeting of the Standing Committee on Stockpile Destruction, **Nigeria**, in noting that it is a country that has experienced civil war and thus had munitions stored in numerous locations throughout its territory, indicated that, following a ministerial directive, the Nigerian military is taking steps to reassess the munitions in its inventory to determine whether previously unknown stocks exist. Nigeria reaffirmed that, should such stocks be found, it will comply with its obligations and its Cartagena Action Plan commitments.

83. On 30 August 2012, the **Philippines** indicated that in 2011, the Armed Forces of the Philippines (AFP) Munitions Control Centre (MCC) disposed a total of 334 pieces of newly discovered anti-personnel mine during the conduct of its ammunition surveillance and inspection of the various ammunition depots in the Philippines as mandated by the AFP hierarchy.

84. At the Cartagena Summit, States Parties agreed to "seize every opportunity to promote and encourage adherence to the norms of the Convention"[11]. In 2012, the Co-Chairs of the Standing Committee on Stockpile Destruction, Germany and Romania, sought to act upon this commitment by encouraging States not party to share information on steps they are taking to adhere to the norms of the Convention, i.e. by volunteering information on the stockpiled they possessed. While no additional information was shared, the Co-Chairs recalled that some States not party have voluntarily provided information on their stocks and others have provided what they refer to as voluntary Article 7 reports although in some of these documents no information on stockpiled anti-personnel mines has been provided and in other instances it is ambiguous. The Co-Chairs noted in particular the following:

85. **Mongolia**, in 2007, voluntarily reported that it possesses 206,417 anti-personnel mines. In addition, at the 10MSP Mongolia reported that it had destroyed 100 anti-personnel mines at a test destruction, bringing its number of stockpiled anti-personnel mines down to 206,317. As well Mongolia informed the 10MSP that it would destroy another 380 stockpiled anti-personnel mines in 2011. The **Lao People's Democratic Republic**, in 2011, voluntarily reported that it has a small stockpile of anti-personnel mines but has not provided information on the types and quantities of the mines held.

86. **Azerbaijan**, in 2008 and 2009, voluntarily provided information on various aspects of the landmine situation in Azerbaijan but it did not include information on stockpiles held. **Morocco** has regularly voluntarily provided information on various aspects of the landmine situation in Morocco to the United Nations Office for Disarmament Affairs but has not included information on stockpiles held other than to say that it does not possess stockpiled anti-personnel mines which could be destroyed. At the May 2012 meetings of the Standing Committees, Morocco stated that it does not possess stockpiled anti-personnel mines but only retains inert anti-personnel mines for training purposes. **Sri Lanka** in 2005 voluntarily provided information on various aspects of the landmines situation in Sri Lanka but with respect to stockpiled anti-personnel mines indicated that "the information is not furnished in the present report" and that "with regard to future reports, the position will be reviewed, taking into account all relevant factors."

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[11] Cartagena Action Plan, action #3.